GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Sri B. Lakshmi Narasaiah, the then Tahsildar, Pulicherla (M), Chittoor District - Disciplinary proceedings under Rule 20 of APCS (CCA) Rules, 1991 - AoC issued - WSD submitted - Enquiry officer appointed - report submitted - Communicated - provisional decision taken - SCN issued - further explanation submitted - to impose a penalty of "50% cut in pension for a period of 10 years" - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.451 **Dated:21.06.2022**

Read the following:-

1. Charge memo issued by the Collector, Chittoor in ASEC0DP/34/2017, Dt:21.12.2017.
2. Explanation dt:28.02.2018 of Sri B.Lakshmi Narasaiah, the then Tahsildar, Pulicherla.
3. From the CCLA, Lr.Rc.No.VS.II(1)/539/2018, Dt:28.05.2018.
4. Memo.No.18023/40/2018-Vig.III(2), Rev (Vig.III)Dept, Dt:30.07.2018
5. From the District Collector, Chittoor, Lr.No.ASEC0DP/34/2017/A2, Dated:21.07.2020.
6. Memo.No.18023/40/2018-Vig.III(2), Rev (Vig.III) Dept, Dt:25.08.2020.
7. Letter.No.ASEC0DP/34/2017/A2, Dt:05.09.2020 of the District Collector, Chittoor addressed to the RDO, Tirupathi.
8. Govt. Memo.No.18023/40/2018/Vig.III(2) dated 15.04.2021.
9. Explanation dated:25.10.2021 of Sri B.Lakshmi Narasaiah, former Tahsildar, Yerpedu, Chittoor District (Retd)).
10. Govt.Letter.No.18023/40/2018-Vig.III(2)-3, Dated:11.04.2022
11. From the Secretary, APPSC, Lr.in File.No.ASD03-APPS0DCC/9/2022-DC.SEC-APPSC (Computer.No.1716323), Dated:24.05.2022

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ORDER:

Whereas, in the reference 1st read above article of charges were issued to Sri B.Lakshminarasaiah, Tahsildar, Pulicherla (M), Chittoor District with regard to irregularities in filing of false information in counter affidavit before the Hon'ble High Court, A.P, Hyderabad in W.P.No.17165/2015, stating that the ryotwari patta Dt.14.12.1966 in S.R.No.369/15(1)/62/KHT was granted for the lands in Sy.No.228/P, 482, 483, 484 of Palleam Village of Yerpedu Mandal which are Government lands. The Charged Officer has submitted his explanation denying the charges framed against him. Since, the charged Officer is retired from service on 30.04.2018 the CCLA has requested the Govt., to conclude the disciplinary action against the retired charged officer under the provision Rule 9 (2) of A.P. Revised Pension Rules, 1980 in the reference 3rd read above.

2. In the reference 4th read above, the CCLA was requested to direct the Collector & District Magistrate, Chittoor, to take immediate necessary action as per Rule 9(2) (a) of Andhra Pradesh Revised Pension Rules, to reach a finding of the charges framed against the Charged Officer by conducting a regular inquiry and then refer the matter to Government, along with inquiry report and specific remarks on the findings of Inquiring Authority, to Government, so as to enable to take further action as per Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

3. In the reference 5th read above, the District Collector, Chittoor has stated that the Chief Executive Officer, Zilla Parishad, Chittoor who was appointed as Inquiry Officer to enquire into the charges framed against Sri B.Lakshminarasaiah, Tahsildar Retired has submitted the enquiry report stating that the Charges are held proved against Sri B.Lakshminarasaiah, former Tahsildar, Pulicherla (M) (Retd). The District Collector has submitted the enquiry report to the Govt., for taking further necessary action in the matter.

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4. After examining the findings of the Inquiry Officer, Government have accepted the same. Accordingly, vide the memo 6th read above, a copy of the inquiry report was communicated to the Charged Officer as required under rule 21 (2) of A.P.C.S (CC&A) Rules, 1991 r/w Rule 9 of A.P.Revised Pension Rules, 1980 for submitting his explanation if any, on the findings of the enquiry officer, within (15) days. The Inquiry report was received by the Charged Officer (Retd) on 09.09.2020 and no representation has been received from the Charged Officer within the prescribed time limit. It is provisionally decided to impose a penalty of "withholding of 50% monthly pension for a period of 10 years" against Sri B. Lakshmi Narasaiah, the then Tahsildar, Pulicherla (M), Chittoor District, for the charges held proved, under Rule 9 of AP Revised Pension Rules,1980. Accordingly, a show cause Notice has been issued as to why the proposed penalty should not be imposed upon him for the irregularity committed, vide reference 8th read above.

5 In the reference 9th read above, Sri B. Lakshmi Narasaiah, Tahsildar (Retd) has submitted his explanation stating that the irregularity said to have been committed by him is a procedural irregularity and there was no loss to the Government and the punishment proposed i.e., 50% cut in pension for a period of 10 years is major penalty which is very much disproportionate punishment. Moreover, he has filed the counter in the Hon'ble High Court basing on the records available in the Tahsildar office. Therefore, in view of the circumstances explained supra, he has requested the Government to exonerate him from case as a case was made out on no evidence.

6. After examining the explanation of the charged officer, Govt have decided to impose a penalty of "50% cut in pension for a period of 10 years" against CO Sri B. Lakshmi Narasaiah, Tahsildar (Retd). Accordingly, the Secretary, APPSC, was addressed to place the proposal of the Government before the Commission for their concurrence vide the reference 10th read above.

7. In the reference 11th read above, the Secretary, APPSC has informed that after careful examination of the disciplinary case in light of the records made available, Commission agreed with the proposal of the Government to impose a penalty of "50% cut in pension for a period of 10 years" against CO B. Lakshmi Narasaiah, the then Tahsildar, Pulicherla (M), Chittoor (Retd) and advised accordingly.

8. Government, after considering the advice of the APPSC, hereby order to impose a penalty of "50% cut in pension for a period of 10 years" against Sri B.Lakshmi Narasaiah, the then Tahsildar, Pulicherla (M), Chittoor (Retd) in terms of Rule 9 of A.P.Revised Pension Rules, 1980.

9. The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri/ the Collector & District Magistrate, Chittoor shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri B.Lakshmi Narasaiah, the then Tahsildar, Pulicherla (M), Chittoor (Retd) **through** the Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
The Collector & District Magistrate, Chittoor.

Copy to:-

The Principal Accountant General (A&E), A.P., Vijayawada.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER